

February 19, 1951.  
Passed on File.

**Senate File 376**  
By GOVERNMENTAL AFFAIRS.

Passed Senate, Date.....  
Vote: Ayes..... Nays.....  
Passed House, Date .....  
Vote: Ayes..... Nays.....  
Approved .....

## A BILL FOR

An Act to place the office of the state fire marshall under the direction of the attorney general, and to transfer from the secretary of agriculture to said office certain powers and duties relating to the inspection of publicly used buildings.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 Section 1. Chapter thirteen (13), Code 1950, is amended  
2 by adding the following new section: "The attorney general  
3 shall appoint the chief officer of the division of fire protection  
4 who shall be known as the state fire marshall.

5 It shall be the duty of the state fire marshall to  
6 investigate all fires; to enforce all safety measures in  
7 connection with the prevention of fires; and to disseminate fire  
8 protection education."

1 Sec. 2. Section eighty point nine (80.9), Code 1950, is  
2 amended as follows:

3 1. By striking from subsection two (2), paragraph C, line  
4 one (1), the words "to investigate all fires;"

5 2. By striking from subsection two (2), paragraph C,  
6 lines two (2), to four (4) inclusive, the words "to enforce

7 all safety measures in connection with the prevention of fires;  
8 and to disseminate fire-prevention education;”.

1 Sec. 3. Section eighty point seventeen (80.17), Code 1950,  
2 is amended by striking from subsection five (5), line one (1),  
3 the words “Division of fire protection”.

1 Sec. 4. Section one hundred point one (100.1), Code 1950,  
2 is amended by striking from lines two (2) and three (3) the  
3 words “in the department of public safety” and insert in lieu  
4 thereof the words “in the department of justice”.

1 Sec. 5. Chapter one hundred three (103), Code 1950, is  
2 amended by adding the following new section: “Every new hotel  
3 constructed of three or more stories in height shall be provided  
4 with a hall on each floor above the ground floor, extending from  
5 one outside wall to another, and such hall shall be equipped at  
6 the end with fire escapes, as provided by law. But in hotels  
7 of approved fireproof construction the provisions with reference  
8 to the hall extended from one outside wall to another may be  
9 modified, with approval of the state fire marshal, when such  
10 buildings are equipped with class A fire escapes.”. (170.38, C50,  
11 transferred from department of agriculture to department of  
12 justice.)

1 Sec. 6. Chapter one hundred three (103), Code 1950, is  
2 amended by adding the following new section: “Every hotel,  
3 except those which are of approved fireproof construction, in  
4 which the sleeping apartments have no outside opening except  
5 into an inside court or lightwell which does not extend to the

6 ground, shall have such court or lightwell supplied with a  
7 suitable runway platform, or balcony, connecting the bottom of  
8 the court or lightwell with some easy way of egress to the fire  
9 escapes. Doors or windows interposed between said runway,  
10 platform, or balcony and the fire escapes shall not be fastened  
11 against exit.”. (170.39, C50, transferred from department of  
12 agriculture.)

1 Sec. 7. Chapter one hundred three (103), Code 1950, is  
2 amended by inserting the following new section: “If the roof  
3 or covering at the bottom of the court or lightwell may be  
4 easily destroyed by fire, the runway platform, or balcony shall  
5 be attached to the walls of the court or lightwell in the manner  
6 required by the division of fire protection.”. (170.40, C50,  
7 transferred from department of agriculture.)

1 Sec. 8. Chapter one hundred three (103), Code 1950, is  
2 amended by adding the following new section: “When a court or  
3 lightwell extends to the ground it shall be provided with some  
4 suitable means for exit to the outside in case of fire.”.  
5 (170.41, C50, transferred from department of agriculture.)

1 Sec. 9. Chapter one hundred three (103), Code 1950, is  
2 amended by adding the following new section: “Every hotel of  
3 more than one story, except hotels which are of approved  
4 fireproof construction, in addition to other fire escapes required  
5 by law, shall have in each sleeping apartment a manila rope at  
6 least five-eighths of an inch in diameter and of sufficient  
7 length to reach the ground with knots or loops not more than

8 fifteen inches apart, and the same shall have sufficient tensile  
9 strength to sustain a weight of at least five hundred pounds.  
10 Said rope shall be securely fastened to the building as near an  
11 outside window as practicable and shall not be covered by curtains  
12 or other obstructions but shall be kept coiled in plain sight at  
13 all times. In lieu of such rope some other appliance approved  
14 by the division of fire protection may be provided.” (170.42,  
15 C50, transferred from department of agriculture.)

16 Sec. 10. Chapter one hundred three (103), Code 1950, is  
17 amended by adding the following new section: “In every hotel  
18 there shall be posted at the entrance to each hall, elevator  
19 shaft, or stairway, or in each sleeping apartment above the  
20 ground floor, signs printed in black ink on a white background  
21 with type not less than one inch in height stating the directions  
22 for reaching the fire escapes. There shall also be posted in  
23 each sleeping apartment a notice printed in large bold-face type  
24 calling attention and giving directions for the use of the rope  
25 fire escape or other appliance with which the room is equipped.”  
26 (170.43, C50, transferred from department of agriculture.)

1 Sec. 11. Chapter one hundred three (103), Code 1950, is  
2 amended by adding the following new section: “Every hotel shall  
3 be provided with at least one efficient chemical fire extinguisher  
4 on each floor for every twenty-five hundred feet of floor space,  
5 placed and maintained in the hallway outside the sleeping  
6 apartments and kept in condition for immediate use. In lieu of  
7 such extinguisher a standpipe may be provided in the hall which

8 shall not be less than one and one-fourth inches in diameter with  
9 hose always attached of sufficient length and supplied with  
10 sufficient pressure of water to reach any and all parts of the  
11 interior of the building.”. (170.44, C50, transferred from  
12 department of agriculture.)

1 Sec. 12. Chapter one hundred three (103), Code 1950, is  
2 amended by adding the following new section: “Every hotel,  
3 except those of approved fireproof construction which is  
4 equipped with an elevator shaft extending below the level of the  
5 first floor shall have the shaft inclosed, as nearly airtight  
6 as practicable, with iron or steel sheeting, wire glass, or  
7 other fireproof material. In lieu of such construction, the  
8 elevator shaft may be provided with an automatic floor trap  
9 at the first floor which shall be constructed in the most  
10 approved manner for preventing the spread of fire.”. (170.45,  
11 C50, transferred from department of agriculture.)

1 Sec. 13. Chapter one hundred three (103), Code 1950, is  
2 amended by adding the following new section: “Upon receipt of  
3 a verified complaint signed by any patron of any hotel, restaurant,  
4 or food establishment, stating facts showing that the fire escapes  
5 and appliances are not kept in accordance with law, the state fire  
6 marshall shall cause an examination to be made. If the complaint  
7 is found to be justifiable, the actual expenses necessarily  
8 incurred in making such inspection shall be charged and collected  
9 from the person conducting such place; but if such complaint is  
10 found to be without reasonable grounds, the actual expense

11 necessarily incurred in making such inspection shall be collected  
 12 from the person or persons making the complaint.”. (170.46, C50,  
 13 transferred from department of agriculture.)

1 Sec. 14. Sections one hundred seventy point thirty-eight  
 2 (170.38) to one hundred seventy point forty-five (170.45),  
 3 inclusive, Code 1950, are hereby repealed.

1 Sec. 15. Section one hundred seventy point forty-seven  
 2 (170.47), Code 1950, is amended by striking from lines five (5)  
 3 to seven (7) inclusive the words “or that the fire escapes and  
 4 appliances are not kept in accordance with law,”.

1 Sec. 16. Section one hundred seventy point forty-eight  
 2 (170.48), Code 1950, is hereby repealed.

EXPLANATION OF SENATE FILE 376

The first purpose of this bill is to provide for the investigation of violations of the fire prevention and control standards as set forth by statute, and the enforcement of said laws, by a single department under the attorney general. Said department will contain a division of fire protection headed by the state fire marshall whose duty it is to make investigations as aforesaid.

The second purpose of this bill is to transfer from the secretary of agriculture certain powers and duties relating to fire inspection, and fire prevention and place those duties under the division of fire protection.

The aforesaid consolidation of administration of investigations with enforcement and with fire prevention and inspection measures under the justice department will provide greater administrative efficiency in all phases of inspection and enforcement and eliminate costly duplications of work and conflicting investigations.